

Charter
Strategic Environmental Research and Development Program
Scientific Advisory Board

1. Committee's Official Designation: The committee shall be known as the Strategic Environmental Research and Development Program Scientific Advisory Board ("the Advisory Board").
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 2904 and in accordance with the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established the Advisory Board..
3. Objectives and Scope of Activities: Pursuant to 10 U.S.C. § 2904(e), the Strategic Environmental Research and Development Program Council ("the Council") shall refer to the Advisory Board, and the Advisory Board shall review, each proposed research project including its estimated cost, for research in and development of technologies related to environmental activities in excess of \$1,000,000. The Council, pursuant to its responsibilities under 10 U.S.C. § 2902(d)(1) and in an effort to enhance the Advisory Board's review process, has lowered the dollar threshold for referral by the Council to the Advisory Board to any proposed research project in excess of \$900,000. The Advisory Board shall make any recommendations to the Council that the Advisory Board considers appropriate regarding such project or proposal.
4. Description of Duties: The Advisory Board may make recommendations to the Council regarding technologies, research, projects, programs, activities, and, if appropriate, funding within the scope of the Strategic Environmental Research and Development Program. In addition, the Advisory Board shall assist and advise the Council in identifying the environmental data and analytical assistance activities that should be covered by the policies and procedures prescribed pursuant to 10 U.S.C. § 2902(d)(1).
5. Agency or Official to Whom the Committee Reports: The Advisory Board shall report to the Council, which shall then submit, pursuant to 10 U.S.C. § 2902(d)(3), an annual report to the Secretary of Defense , through the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)).
6. Support: The DoD, through the USD(AT&L) and the Strategic Environmental Research and Development Program, shall provide support as deemed necessary for the performance of the Advisory Board's functions, and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating costs, to include travel, meetings, and contract support, are approximately \$316,643.00. The estimated annual personnel costs to the DoD are 0.4 full-time equivalents.
8. Designated Federal Officer: The Advisory Board's Designated Federal Officer (DFO), pursuant to DoD policy shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures.

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The DFO is required to be in attendance at all Advisory Board and subcommittee meetings for the entire duration of each and every meeting. However, in the absence of the DFO, a properly approved Alternate DFO, duly appointed to the Advisory Board according to established DoD policies and procedures, shall attend the entire duration of all of the Advisory Board or subcommittee meetings.

The DFO, or the Alternate DFO, shall call all of the Board and its subcommittees meetings; prepare and approve all meeting agendas; adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies or procedures.

9. Estimated Number and Frequency of Meetings: The Advisory Board shall meet at the call of the Advisory Board's DFO, in consultation with the Chair. Pursuant to 10 U.S.C. § 2904(d), the minimum number of Advisory Board meetings is four per year.
10. Duration: Pursuant to 10 U.S.C. § 2904, the need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Advisory Board shall terminate upon rescission of 10 U.S.C. § 2904.
12. Membership and Designation: Pursuant to 10 U.S.C. § 2904(a), the Secretary of Defense and the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, shall jointly appoint not less than six and not more than 14 members.

Pursuant to 10 U.S.C. § 2904(b), the Advisory Board membership shall be comprised of the following:

- a. Permanent members of the Advisory Board are the Science Advisor to the President and the Administrator of the National Oceanic and Atmospheric Administration or their respective designees;
- b. Non-permanent members of the Advisory Board shall be appointed from among persons eminent in the fields of basic sciences, engineering, ocean and environmental sciences, education, research management, international and security affairs, health physics, health sciences, or social sciences, with due regard given to the equitable representation of scientists and engineers who are women or who represent minority groups. One such member of the Advisory Board shall be a representative of environmental public interest groups, and one such member shall be a representative of the interests of State governments.

Pursuant to 10 U.S.C. § 2904(b)(3), the Secretary of Defense and the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, shall request that:

- a. the head of the National Academy of Sciences, in consultation with the head of the National Academy of Engineering and the head of the Institutes of Medicine of the

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- National Academy of Sciences, nominate persons for appointment to the Advisory Board;
- b. the Council on Environmental Quality nominate for appointment to the Advisory Board at least one person who is a representative of environmental public interest groups; and
 - c. the National Association of Governors nominate for appointment to the Advisory Board at least one person who is a representative of the interests of State governments.

The Advisory Board, pursuant to 10 U.S.C. § 2904(d), shall develop procedures for carrying out its responsibilities. Such procedures shall define a quorum as a majority of the members and shall provide for the annual election of the Advisory Board's Chair by the members of the Advisory Board.

The permanent Advisory Board members, defined above, shall be appointed as regular government employee (RGE) members, and their appointments shall be based upon their official position in the Federal government.

Advisory Board members appointed by the Secretary of Defense and the Secretary of Energy, who are not full-time or permanent part-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C § 3109 to serve as special government employee (SGE) members.

SGE members are appointed to provide advice on the basis of their best judgment without representing any particular point of view and in a manner that is free from conflict of interest. Pursuant to 10 U.S.C. § 2904(h), each member of the Advisory Board shall be required to file a financial disclosure report under title I of the Ethics in Government Act of 1978 (5 U.S.C. Appendix, as amended).

The members shall be appointed for terms of not less than two and not more than four years, as provided in 10 U.S.C. § 2904(b)(4) and approved by the Secretary of Defense. All appointments shall be renewed by the Secretary of Defense on an annual basis. Members shall not serve more than two consecutive terms of service, unless authorized by the Secretary of Defense.

With the exception of travel and per diem for official travel, Advisory Board members shall serve without compensation.

13. Subcommittees: DoD, when necessary and consistent with the Advisory Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Advisory Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(AT&L), as the DoD Sponsor.

Such subcommittees shall not work independently of the chartered Advisory Board, and shall report all their recommendations and advice solely to the Advisory Board for full

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deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the chartered Advisory Board. No subcommittee nor any of its members can update or report, verbally or in writing, on behalf of the Advisory Board, directly to the DoD or to any Federal officers or employees.

All subcommittee members shall be appointed by the Secretary of Defense or the Deputy Secretary of Defense to a term of service of one-to-four years, even if the member in question is already a member of the Advisory Board. Subcommittee members shall not serve more than two consecutive terms of service, without approval by the Secretary of Defense or the Deputy Secretary of Defense.

All subcommittee members, if not full-time or part-time Federal employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 to serve as SGE members, whose appointments must be renewed on an annual basis. With the exception of travel and per diem for official travel related to the Advisory Board or its subcommittee members, subcommittee members shall serve without compensation

All subcommittees operate under the provisions of the FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Advisory Board and its subcommittees shall be handled according to Section 2, General Records Schedule 26 and governing DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Filing Date: September 4, 2013